

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Tadipatri Municipality - Sri K. Jayabharatha Reddy, Dy.EE & MC (FAC), Tadipatri Municipality, Ananthapuram District – Disciplinary Proceedings instituted under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Enquiry conducted – Penalty of withholding of one Annual Grade Increment without cumulative effect – Imposed - Orders - Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.III) DEPARTMENT

G.O.Rt.No.770

Dated:14.10.2022

Read the following:-

1. From the CDMA, A.P., Hyderabad, ROC.No.20303/2010/C2, dt.28.12.2010.
2. G.O.Rt.Nos.462, MA&UD (L) Dept., dt.15.04.2011.
3. Written statement defence of Sri K. Jayabharatha Reddy, Dy.EE & MC (FAC), Tadipatri Municipality, dt.21.05.2011
4. G.O.Rt.No.538, MA&UD (L1) Dept., dt.20.04.2012.
5. From Sri S.S.Varma, MC & Enquiry Officer, Chittoor Municipal Corporation, Chittoor, Roc.No.2629/2012/C1, dt.01.12.2012.
6. Govt.Memo.No.22480/L1/2010-15, dt.15.02.2013.
7. Written representation of Sri K. Jayabharatha Reddy, Dy.EE & MC (FAC), Tadipatri Municipality, dt.17.06.2022.

ORDER

Based on the report of CDMA, A.P., Hyderabad, in the reference 1st read above, Government initiated disciplinary proceedings against Sri K. Jayabharatha Reddy, Dy.EE & MC (FAC), Tadipatri Municipality, Ananthapuram District under Rule-20 read with Rule-24 of APCS(CCA) Rules, 1991 on the allegation of committing irregularities in allotment of house sites at nominal cost to the Municipal Employees in Tadpatri without following the Guidelines/ instructions issued by the Government and loss caused to the Municipality, vide reference 2nd read above.

2. In the reference 3rd read above, the charged officer submitted his Written Statement of Defenses duly requesting to take sympathetic view and drop further action in the matter. Having not convinced with the explanation therein, Government appointed inquiring authority to enquire into the charges framed against all the charged officers vide reference 4th read above.

3. In the reference 5th read above, the Inquiring Authority submitted his enquiry report duly stating that certain charges were held proved against Sri K. Jayabharatha Reddy, Dy.EE & MC (FAC), Tadipatri Municipality, Ananthapuram District in the enquiry.

4. In the reference 6th read above, a copy of the Enquiry Report has been communicated to Sri K. Jayabharatha Reddy, Dy.EE & MC (FAC), Tadipatri Municipality, Ananthapuram District with a direction to submit his written representation on the findings of the Inquiring Authority, if any;

5. In the reference 7th read above, the Charged Officer submitted his written representations on the findings of Inquiry Authority. The explanation of the Charged Officer that the charges framed by the disciplinary authority and Trial court are one and same and in view of the acquittal by the Trial Court, he has requested to drop further action against him.

6. Government have examined the explanation and observed that the Charges framed by the Disciplinary Authority and Trial Court are slightly different. The charges framed by the Disciplinary authority on the Charged Officer are that he had

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not followed the rules/orders in force while placing the allotment of lands to the Municipal employees before the Council. Charges framed in the Trial Court are that the Charged Officer abused his official position and attempted to obtain pecuniary advantage and misappropriated the ULB funds with a common intention and caused loss to the Municipality. The Trial Court found that the AO did not obtain pecuniary advantage and caused loss to the Municipality and there is no evidence to prove that he dishonestly, fraudulently misappropriated the municipal property and acquitted the Charged Officer from the Charges. The Trial Court observed that the Accused Officer processed the file without following the procedure, instructions and Guidelines. The IA found that procedural lapses were done by the charged officers but subsequently they have been rectified and accordingly charges were held proved against him.

7. Government after careful examination of the inquiry report and written representation of the charged officer, it has been decided to impose a penalty of withholding of one Annual Grade Increment without cumulative effect against Sri K. Jayabharatha Reddy, Dy.EE & MC (FAC), Tadipatri Municipality, Ananthapuram District in terms of Rule-9 of APCS(CCA) Rules, 1991, as the charges were held proved in the inquiry and his explanation is not convincing.

8. Accordingly, Government hereby order to impose a penalty of withholding of one Annual Grade Increment without cumulative effect against Sri K. Jayabharatha Reddy, Dy.EE & MC (FAC), Tadipatri Municipality, Ananthapuram District in terms of Rule-9 of APCS(CC&A) Rules, 1991.

9. The Engineer – in – Chief(PH), A.P., Tadepalli / Commissioner and Director of Municipal Administration, A.P., Vaddeswaram shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri K. Jayabharatha Reddy, Dy.EE & MC (FAC), Tadipatri Municipality – **through**

The Engineer – In – Chief, A.P., Tadepalli.,

The Engineer – In – Chief, A.P., Tadepalli.

The Commissioner and Director of Municipal Administration, A.P, Vaddeswaram.

Copy to:

The Regional Director-Cum-Appellate Commissioner of Municipal Administration, Ananthapuram.

The Commissioner, Tadipatri Municipality.

Sf/Sc (E 1696676).

// FORWARDED :: BY ORDER //


SECTION OFFICER